

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

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SCIELE PHARMA, INC., et al.,

Plaintiffs,

v.

LUPIN, LTD, et al.,

Defendants.

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Civil No. 09-37 (RBK/JS)

**AMENDED SCHEDULING ORDER**

This Scheduling Order confirms the directives given to counsel during the status conference on April 5, 2012; and the Court noting that counsel for all parties appeared.

IT IS this **5th** day of **April, 2012**, hereby **ORDERED**:

1. Pretrial factual discovery is hereby extended to **June 29, 2012**.

2. All parties with the affirmative burden of proof on an issue shall serve expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) by **July 31, 2012**. Responsive expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) shall be served by **August 31, 2012**. Each such report should be accompanied by the curriculum vitae of the proposed expert witness. No expert opinion testimony shall be admitted at trial with respect to any witness for whom this procedure has not been timely followed. Depositions of proposed expert witnesses shall be concluded by **September 28, 2012**.

3. **Dispositive Motions**. Dispositive and Daubert motions shall be filed with the Clerk of the Court no later than **October 15, 2012**, in accordance with the applicable Federal and Local Rules of Civil Procedure.

4. The Court will conduct oral argument on all outstanding discovery motions on **May 7, 2012 at 2:00 p.m.**, in Courtroom 3C.

5. At least ten (10) days prior to the next scheduled conference, the parties shall send the Court a letter identifying all discovery disputes. No issue will be addressed unless the letter is accompanied by an Affidavit that complies with L. Civ. R. 37.1(b)(1). All outstanding discovery issues not raised shall be deemed waived. Responses shall be served three (3) days before the conference.

6. The Court will conduct an in-person status conference on **June 18, 2012 at 11:00 a.m.**, in Courtroom 3C.

**THE FAILURE OF A PARTY OR ATTORNEY TO OBEY THIS ORDER MAY  
RESULT IN IMPOSITION OF SANCTIONS UNDER FED. R. CIV. P. 16(f).**

s/ Joel Schneider  
JOEL SCHNEIDER  
United States Magistrate Judge